

Garage Sale Permitting & Regulations – Proposed by staff as directed by City Council. Passed unanimously November 27, 2018

The City of Boca Raton has sent three new noteworthy ordinances, of particular importance is Ordinance 5470 **limiting garage sales to 4 per year with an applied for City permit.**

Ordinance 5470 amends the Zoning Code of Ordinances to provide a definition for Garage Sale and provides requirements including permits, a limitation on the number of sales and the hours of operation.

Why was it proposed? The ordinance was proposed by staff after frequent complaints about single family residences that were having excessive numbers of garage sales, essentially constituting business operations that were disruptive to the single-family neighborhood.

What does it do? This amendment to the Zoning Code of Ordinances clarifies the definition of garage sales and yards sales, requires a simple permit which is free and can be obtained on the City's website or over the counter, limits the number of garage sales at a residence to four times a year for no more than two consecutive days and limits the hours from 8 am-5 pm.

Who does it affect? The ordinance affects homeowners in residential areas.

How to comply: Homeowners who wish to hold a garage/yard sale can complete and submit the free permit online or apply over the counter. Permits can be issued Monday-Friday with quick turnaround time. Garage sales can be held for two consecutive days between the hours of 8 am-5 pm, no more than four times during a year.

How will Ordinance 5470 be enforced? Code enforcement officials will work with residents to educate and inform first, issuing warnings if necessary. Repeat offenders may receive a direct citation of \$150.00 and fees will increase if repeated violation or non-compliance is found

Ordinance 5474 amends Chapter 9, Article IV, Section 9-60, "Supplemental Code Enforcement Procedures" Code of Ordinances, to provide for direct issuance of citations by code enforcement officers.

Resolution 163-2018 sets minimum civil penalties and fines

Why was it proposed? The standard code enforcement process was time consuming and slow, and often didn't cite the actual violator, when tenants at rental properties were at issue.

What does it do? Direct ticketing expedites compliance timeframes, cites the actual violator, discourages repeat offenders, and enhances health and safety and preserves property values.

Which code violations are subject to direct citation?

- Alcohol hours of operation
- Animal noises and limitations
- Fire prevention and protection
- Nuisances: litter, untended vegetation, stagnant water
- Noise: music, equipment and construction
- Vehicles & parking: parking on grass, commercial & recreational vehicles, storing inoperative vehicles
- Unlawful signs and handbills
- Outdoor storage and display of merchandise
- Un-permitted garage sales
- Construction site maintenance and hurricane preparedness
- Solid Waste Pick up procedures and prohibited activities
- Swale area maintenance
- Prohibited uses: vibration, smoke, fumes, odors, glare, sewage and waste

How will direct citation work? Warnings may be issued prior to the citation, except: repeat violators, serious threat to public health, safety or welfare. Violators will have the option to pay and comply, contest (appeal), in writing, within 10 calendar days. If the violator chooses to pay and comply, the amount on the citation is owed. If the violator chooses to contest, the special magistrate process will be followed. If found guilty, the violator may owe a significantly higher amount.